

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re ACandS, INC.,

)  
) Bankruptcy Case No. 02-12687 (JKF)  
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ACandS, INC.,

Appellant,

v.

TRAVELERS CASUALTY AND SURETY  
COMPANY,

Appellee.

)  
) Civil Action No. 04-120 (JJF)  
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IREX CORPORATION,

Appellant,

v.

TRAVELERS CASUALTY AND SURETY  
COMPANY,

Appellee.

)  
) Civil Action No. 04-121 (JJF)  
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OFFICIAL COMMITTEE OF ASBESTOS  
PERSONAL INJURY CLAIMANTS,

Appellant,

v.

TRAVELERS CASUALTY AND SURETY  
COMPANY,

Appellee.

)  
) Civil Action No. 04-122 (JJF)  
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LAWRENCE FITZPATRICK,

Appellant,

v.

TRAVELERS CASUALTY AND SURETY  
COMPANY,

Appellee.

)  
) Civil Action No. 04-123 (JJF)  
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**NOTICE OF HEARING ON JULY 13, 2005 AT 11:00 A.M.**

PLEASE TAKE NOTICE that on July 13, 2005, at 11:00 a.m., at the United States District Court for the District of Delaware, 844 N. King Street, J. Caleb Boggs Federal Courthouse, Courtroom 4B, Wilmington, Delaware 19801, the Honorable Joseph J. Farnan, Jr., United States District Court Judge, will hold a hearing in each of the above-captioned cases concerning the *Proposed Findings of Fact and Conclusions of Law Re: Chapter 11 Plan Confirmation [Docket No. 979]*<sup>1</sup> (the "Proposed Findings") entered by the Honorable Randall J. Newsome, United States Bankruptcy Court Judge, on January 26, 2004, in the bankruptcy case of ACandS, Inc. (the "Debtor").

The Proposed Findings, among other things, are the subject of objections under Rule 9033 of the Federal Rules of Bankruptcy Procedure (the "9033 Objections") filed by: (i) the Debtor – and joined by Irex Corporation ("Irex") and the Official Committee of Asbestos Personal Injury Claimants (the "Committee"); and (ii) Lawrence Fitzpatrick (the "Futures Representative").<sup>2</sup> The Proposed Findings are also the subject of an appeal in each of the above-captioned cases filed by: (i) the Debtor (Civil Action No. 04-120 (JJF)); (ii) Irex (Civil Action No. 04-121 (JJF)); (iii) the Committee (Civil Action No. 04-122 (JJF)); and (iv) the Futures Representative (Civil Action No. 04-123 (JJF)).

Each of the appeals in the above-captioned cases was stayed by order of the Bankruptcy Court, pending resolution of the 9033 Objections by the District Court, or unless

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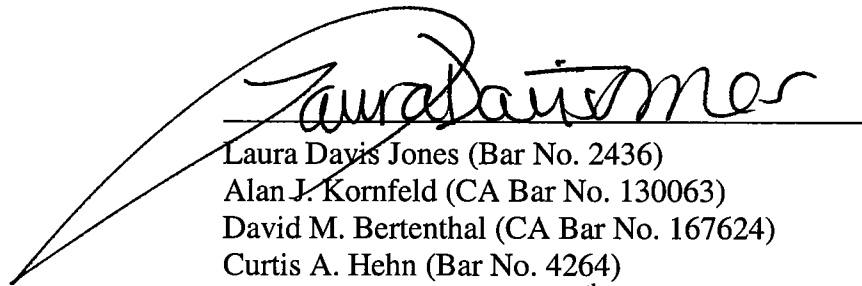
<sup>1</sup> All docket numbers noted herein refer to the Bankruptcy Court docket.

<sup>2</sup> See: *Objection to Certain Proposed Findings of Fact and Conclusions of Law Re Chapter 11 Plan Confirmation Pursuant to Bankruptcy Rule 9033 and Motion to Confirm Plan of Reorganization (Docket No. 1021)* filed by the Debtor and joined by the Committee; *Joinder of Irex Corporation in Support of Objection of ACandS, Inc. to Certain Proposed Findings of Fact and Conclusions of Law Re Chapter 11 Plan Confirmation Pursuant to Bankruptcy Rule 9033 and Motion to Confirm Plan of Reorganization [Docket No. 1017]*; and *Objections of the Future Claimants' Representative Pursuant to Bankruptcy Rule 9033 to the Proposed Findings of Fact and Conclusions of Law Re: Chapter 11 Plan Confirmation [Docket No. 1015]*.

ordered otherwise by the District Court.<sup>3</sup> These matters, except the appeals which are stayed by the Bankruptcy Court, will be the subject of the July 13, 2005 hearing scheduled by the District Court.<sup>4</sup>

Dated: 6/15, 2005

PACHULSKI, STANG, ZIEHL, YOUNG, JONES  
& WEINTRAUB P.C.



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<sup>3</sup> *Order Granting Motion of ACandS, Inc., Debtor and Debtor-In-Possession, for a Stay of Appellate Requirements Pending Review by the United States District Court for the District of Delaware of the Objection to Certain Proposed Findings of Fact and Conclusions of Law Re Chapter 11 Plan Confirmation Pursuant to Bankruptcy Rule 9033 and Motion to Confirm Plan of Reorganization [Docket No. 1038]*; entered by the Honorable Judith K. Fitzgerald, United States Bankruptcy Court Judge, on February 10, 2004; and *Order for Stay of Appellate Requirements Pending Review by the United States District Court, in the District of Delaware of the Objection to Certain Proposed Findings of Fact and Conclusions of Law Related to the Chapter 11 Plan Confirmation [Docket No. 1164]*, entered by the Honorable Judith K. Fitzgerald, United States Bankruptcy Court Judge, on March 30, 2004.

<sup>4</sup> The Debtor's 9033 Objection, which was joined by the Committee and Irex, and the Futures Representative 9033 Objection, along with related pleadings, were transmitted to the District Court by way of that certain correspondence, and five accompanying binders, from Debtor's counsel to the Honorable Joseph J. Farnan, Jr., dated March 23, 2004.